

The Long-Term Looting of Caddo Indian Sites on Federal Property in Northeastern Texas

At Lake O' the Pines, near the modern town of Jefferson in northeastern Texas, the looting of Caddo Indian archeological sites — mainly cemeteries and other places of ceremonial significance — has been ongoing since at least the early 1980s. Perhaps more than 800 Caddo Indian burials have been looted on this small piece of Federal property during that time. The lake is under the jurisdiction of the Fort Worth District of the U.S. Army Corps of Engineers and is located in the heart of the traditional homelands of the Caddo Nation of Oklahoma. The Caddo had lived in these pine-covered hills and broad valleys since time immemorial until they were forcibly removed in the late 1830s.

Researchers have documented the pillaging of Caddo archeological sites in this area over the years.¹ The late Curtis Tunnell, former Texas State Historic Preservation Officer, interviewed numerous looters in the area, one of whom proudly admitted that he had “sent his kids to

college” by selling burial vessels he had taken from Caddo graves around Lake O' the Pines.² Sadly, though, for many years the Fort Worth District did nothing to stop the destruction of the Caddo Nation's heritage, despite their knowledge of the looting and their legal responsibilities under the National Historic Preservation Act, the Archaeological Resources Protection Act (ARPA), and the Native American Graves Protection and Repatriation Act (NAGPRA). The Fort Worth District cited lack of financial resources as their reason for not dealing with looting. The Caddo Nation first became aware of the looting problem in 1993 when Mary Cecile Carter, the Caddo Nation's first NAGPRA director and author of the 1995 book, *Caddo Indians: Where We Come From*, was briefed by professional archeologists concerned with curtailing the looting.

Since those distressing days, and despite the inaction of the Fort Worth District, the Caddo Nation as a whole has recently taken a more active role in addressing the looting of Caddo sites and graves on Federal property and trying to find reasonable solutions to better protect these sites. This has been a long and difficult effort. In 1999, for instance, the Cultural Preservation Department of the Caddo Nation applied for and received a NAGPRA grant from the National Park Service entitled “Location, Documentation, and Protection of Unmarked Caddo Cemeteries.” Part of the grant's purpose was to research how many known Caddo cemeteries are on Federal property, determine their current condition, and assess the success or failure of Federal agencies in assuring the protection of these traditional and sacred properties. One focus of the NAGPRA grant work was the efforts of the Fort Worth District at Lake O' the Pines, where numerous cemeteries, many already looted, are known.

On Saturday, May 27, 2000, Caddo Nation Chairwoman LaRue Parker requested to see some

Looted graves at Lake O' the Pines, TX (41MR122). Photo by Mark Walters.



of the site destruction firsthand. The Caddo Nation Cultural Preservation Department staff, along with Chairwoman Parker, met Dr. Timothy K. Perttula and Bo Nelson, professional archeologists, to view several of the cemetery sites that had been looted. They were shown two cemeteries. At one, there were open grave pits for as far as the eye could see. The graves had been opened since at least the mid-1980s, and although the Fort Worth District was aware of the looting, no effort had been made to backfill the looter holes, document the looting, or bring the situation to the attention of the Caddo Nation.

Perttula and Nelson explained to Chairwoman Parker that at least 250 burials had been looted from these 2 cemeteries, with comparable numbers in other cemeteries around the lake. They explained that every known Caddo cemetery around Lake O' the Pines had been looted. The 16th- and 17th-century Camp Joy Mound (41UR144), which had been in pristine condition in 1989, now had a 3-meter-wide looter's trench dug through the center of the mound.³ Alarming, the Fort Worth District had recently built a water line through part of the Dalton Mound (41UR11), which a Fort Worth District archeological contractor had previously recommended for nomination as a National Register archeological district.⁴

This travesty prompted Chairwoman Parker to request a meeting, long overdue, with the new colonel at the Fort Worth District, Gordon M. Wells, in an attempt to bring the looting situation to his attention and to find effective ways of halting the looting of Caddo cemeteries and mound sites. The archeologists emphasized that the looting activities taking place at the lake were analogous to the United States Government's war on drugs. If someone were planting marijuana on Federal property, every agent and local law enforcement officer in the area would be working to arrest the offenders. Yet for years looters have been removing burials that are protected under a whole suite of Federal laws and making large profits — generally as undeclared income — right under the nose of the Federal agency. Until the agency enforces the law and develops effective management and protection plans for sensitive sites, the looting will continue unabated.

There were several positive but bittersweet results of the meeting. The Caddo Nation

requested that the open grave pits be backfilled at all of the cemeteries. Although this has not occurred, the Fort Worth District backfilled grave pits at one of the looted cemeteries in coordination with tribal member and NAGPRA assistant Bobby Kionut Gonzalez. However, the Caddo Nation has yet to see any damage assessments of these cemeteries as required by ARPA.

Chairwoman Parker and the Cultural Preservation Department staff offered to prepare an historic properties management plan for the lake, proposing to include recommendations for site protection and identification of sensitive site areas. This turned out to be a futile offer and a plan has yet to be prepared by the Fort Worth District.

Also at the request of the Caddo Nation, the Fort Worth District agreed that more staff should be hired to help manage the irreplaceable cultural resources at the lake. The Caddo Nation urged the Fort Worth District to pursue prosecutions under ARPA if and when looters and collectors were caught breaking the law on Federal property. Whereas the Fort Worth District was once lax in prosecuting anyone, Matt Seavey, District park ranger, has since gone on record saying, "There'll be no more warnings. Citations will be issued."⁵

The Caddo Nation is urging the Fort Worth District to implement other steps, such as a monitoring system to document and record any looting activities using a Site Vulnerability Assessment, to curtail the looting of their traditional and sacred sites. Archeologists recommended that a team consisting of law enforcement personnel, tribal liaisons, and archeological specialists complete assessments. To date, only Kisatchie National Forest and the Louisiana Air Army National Guard use this format to evaluate the vulnerability of Caddo Indian sites. Should the Fort Worth District choose to pursue this effort, the benefits of the assessments would be threefold: 1) sites that need additional monitoring or surveillance can be identified and site visits given priority; 2) the agency will have a better understanding of where the important sites are and which sites are in immediate danger; and 3) the agency can budget for and develop protection plans.

Monitoring and protecting important archeological sites on Federal land is the responsibility of Federal agencies. Tribes' working with Federal agencies is nothing new, and Federal

agencies' working with tribes is mandatory under Federal statutes.⁶ At the same time, it is up to the general public, Indian tribes, and concerned local and State agencies to make sure that Federal agencies fulfill their responsibilities. By law and by Executive Orders, Federal agencies are required to consult with and involve tribes on a government-to-government basis.⁷ This consultation requires hearing the views and concerns of tribes impacted by the actions or inactions of Federal agencies. Ignoring the views and concerns of the Caddo Nation has led to a relationship with the Fort Worth District that has often been volatile. Yet only through a cooperative relationship can traditional properties of importance to the Caddo Nation be protected.

Notes

- ¹ Timothy K. Perttula and Bo Nelson, "The Looting of Prehistoric Caddo Indian Cemeteries in Northeast Texas," *Texas Forum on Civil Liberties and Civil Rights* 4, no.1 (1999): 77-86.
- ² Notes on file, Texas Historical Commission, Austin, TX.

- ³ Mike Turner, "A Two-Phase or Tiered Caddo Mound at the Camp Joy Site (41UR144), Lake O' the Pines," *Notes on Northeast Texas Archaeology* 2 (1993): 66-75.
- ⁴ Elizabeth Burson and Maynard B. Cliff, *Cultural Resources Survey of Six Proposed Timber-cutting tracts at Wright Patman Lake, Bowie County, Texas and Lake O' the Pines, Marion and Upshur Counties, Texas*, Geo-Marine, Miscellaneous Reports of Investigations 201 (2000).
- ⁵ Anthony Davis, "Officials Crack Down on Artifact Looters," *Texarkana Gazette*, (August 3, 2001): 1, 8.
- ⁶ Darby C. Stapp, "Tribes Working with Agencies to Protect Resources," *CRM* 23, no. 7 (2000): 41-44.
- ⁷ Executive Order 13175.

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Artifacts seized under search warrants for the home of a man who had looted the Petersburg National Battlefield in Virginia weekly over 3 years. NPS photo.